Date due

Liber

S. Marie de Dryburgh

REGISTRUM CARTARUM

ABBACIE PREMONSTRATENSIS

DE DRYBURGH

EDINBURGI MDCCCXLVII

TO THE MEMBERS OF THE BANNATYNE CLUB.

When I first undertook to print the Register of Dryburgh for presentation to the Club, I had never seen it, and was not at all aware of its very imperfect and defective state.

On examining the proof-sheets, I perceived that it not only wanted some of the earliest Charters, which it must have originally contained, and among these the Foundation Charter, but that it broke off abruptly, before the suppression of the Monastery; and that, in the greater number of the Charters and other deeds which the Register still contains, the dates, and the names of the witnesses are omitted, which considerably diminishes its usefulness.

It disappointed me to think that my contribution to the Club should be so incomplete; and I determined, though it might cost some trouble and expense, to endeavour, as far as possible, to supply the defects of the Register, by obtaining permission to inspect the repositories of the several persons who now possess lands formerly belonging to the Abbey, in order to recover and make copies of such original Charters and other writings relating to it as might still be in existence.

In doing this I had no difficulty. Being unable personally to make this inspection, I obtained the willing assistance of Mr William Fraser of Edinburgh, a gentleman well qualified for the task, from his intimate acquaintance with old writings, and from his zeal and intelligence in antiquarian research. Through him inspection has been made of the title-deeds, &c. of The Duke of Richmond, The Earls of Mar, Buchan, and Lauderdale, Lord Polwarth, Sir Wyndham Carmichael Anstruther of Anstruther and Carmichael, Baronet, David Erskine Esquire of Cardross, James Haig Esquire of Bemerside, Charles Riddell Esquire of Dryburgh, James Erskine Esquire of Shielfield, James Curle Esquire of Ivelaw, Adam Fairholme Esquire of (St John's) Chapel, George Turnbull Esquire of Abbey St Bathans, and of my brother Lieutenant-Colonel George Spottiswoode of Gladswood, to all of whom I return my thanks for their courtesy.

Every source that could be thought of to complete the Register has been explored, and the result of the search will be found in the Appendix, which contains original Charters, Gifts, Tacks of Teinds, &c., and several old Rentals of the Abbey, which are curious, and may be found useful in assisting to show the changes produced by time on the value both of land and of money.

JOHN SPOTTISWOODE.

Spottiswoode, *October* 1847.

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THE EDITOR'S PREFACE.

The Register of the Premonstratensian Abbey of Dryburgh, called the "Liber S. Mariæ de Dryburgh,"[1] from which the present edition has been printed, is a small folio volume of paper, containing one hundred and twelve leaves, and written in a hand of the sixteenth century. On a blank leaf at the commencement, it is titled, in the well-known handwriting of Sir James Balfour, "*Liber S. Mariæ de Drybrughe,* 1635," and at the foot of the first remaining page, it is authenticated with the subscription—"*Jacobus Balfourius Kynardiæ Miles Leo Armorum Rex.*" It has also been paged by him; and it is probably as complete now as when it was in his possession. **Liber de Dryburgh.**

It is to be regretted, however, that the Register is an imperfect collection. It commences with charter No. 6, and concludes abruptly in the middle of a charter, No. 316. The first five charters which are wanting may have occupied two leaves of the volume, and amongst them, probably, was the foundation-charter of David I., as it was usual to commence the registers of religious houses with their foundation charters. There are no means of ascertaining how many charters are wanting at the end. **Imperfection of the Register.**

[1] Advocates' Library, 34. 4. 7 (A. 5. 51.)

In addition to these defects at the commencement and conclusion of the Register, it is also to be regretted, that in the greater number of the charters and instruments which it contains, the names of the witnesses are entirely omitted ; and that numerous errors occur in the names of persons and places.[1]

[1] A few of the errors, sufficient to show the general character of the MS. volume, are here collected :—

P. 173. decem *for* decet
174. nolte *for* molte
176. molendinarum *for* molendinorum
carucatem *for* carucatam
Ertidon *for* Ercildon
nostri synodi *for* nostre synodi
178. Angilcis *for* Anglicis
179. sacordos *for* sacerdos
laudem *for* landam
181. terra qui vicino est *for* terra que vicina est.
Qui *almost invariably for* que.
183. universitas *for* universas
185. promittitur *for* promittant
precepturus *for* percepturus
187. prohiberetes *for* prohibentes
189. liberit *for* liberum
191. per vitando *for* pro vitando
192. non *for* nos
193. pertibus *for* precibus
194. apostolici *for* apostoli
195. per Tevidalie *for* per Tividaliam
Porro *for* Pro
196. giepro *for* Giezi
austicia *for* astucia
197. Bangelaw *for* Langelaw
198. religiosis *for* religionis
liberti *for* libenti
200. causis *for* clausis
secundum *for* sanctum
202. per dioceseos *for* per dioceses
sed *for* sedis
203. Anagine *for* Anagnie
209. providatis *for* promulgatis
216. Novembris Junij *for* nonas Junii
225. finem *for* suo
233. de *for* domino
239. curam *for* curiam

The most palpable of such errors have been corrected in the present edition. Others which are suspected have been suffered to remain. For instance, ***Robertus*** de Morville appearing as a benefactor at a time when ***Ricardus*** was the known person of the family, leads to a doubt that the Transcriber may have mistaken the initial letter of *R.* in the original charter, for Robertus, instead of Ricardus. Again, in No. 243, where the bishop is reserving dues from the church of Gullane, the words, "quatuor marcis nomine procurationis nostre et quatuor marcis nomine canonicorum," plainly contain some mistake, and there is reason to believe that the scribe has written *canonicorum* for cani nostri: The Numbers of charters in the present edition do not correspond with the MS. volume after No. 89 : the next number, instead of having been made No. 90 in the MS., had been by mistake marked 100, so that this makes an apparent difference of ten more in the MS. than in the print.

Much investigation and research have been made with the view of discovering a more ancient and complete Register of Dryburgh, and for the original charters and grants to, and other Instruments connected with, the Abbey. No trace, however, of an older Register has been found; but a number of early and interesting charters by De Morville the Constable, the Maxwells of Caerlaverock and Pencaitland, the Maitlands of Thirlstane, and others,—as well as charters, tacks of teinds, &c., by the Abbots and Commendators, Rentals of the Abbey, and Accounts of the Chamberlain, have been recovered from private repositories, and printed in the APPENDIX.

Means taken to discover an older Register.

Early Charters, &c. found, and printed in Appendix.

With all the imperfections of the Register, it is still a record of great value, not only for the information it contains relating to the immediate district in which the Abbey is situated, but also as to the early holdings of lands, churches, and patronages in the counties of Fife, Ayr, Lanark, and the Lothians.

The Founder.

Doubts have been entertained as to the real founder of Dryburgh Abbey. David I. styled himself, and he has been generally considered, as the founder. In his great charter he gives, grants, and confirms—"Ecclesiæ Sanctæ Mariæ de Dryburgh, *quam fundavi*" . . . . . . "Ecclesiam de Dryburgh," &c.[1] But the contemporary Chronicle of Melrose calls *"Hugo de Morville fundator Ecclesie de Drieburg."*[2]

These conflicting statements have given rise to ingenious interpretations of the meaning of the expression "quam fundavi," in the foundation charter. Lord Hailes conjectures that the King thereby meant only that he had laid the foundation stone.[3] On the other hand, the author of *Caledonia* thinks the charter better evidence than the Chronicle,[4] and that David was the founder of the Abbey; yet Chalmers himself, in his account of the

[1] Foundation Charter, p. lxix., *postea*.
[2] Chron. Mailr. p. 78.
[3] Annals I. 97, note i.
[4] Chalmers' *Caledonia*, vol. ii. p. 336.

De Morvilles, states that Hugh "was the original founder of the monastery of Dryburgh."[1]

Whether by the King or his High Constable, the abbey of Dryburgh was founded for monks of the Premonstratensian order in the year 1150. "Anno 1150, Ordo Præmonstracensis venit ad Drueburch, ad festiuitatem Sancti Martini" (November 10.)[2] They were brought from the abbey of Alnwick, which was itself a daughter of the abbey of Neuhus, the first foundation of the order in England.[3] The Chronicle of Melrose farther bears: — "Anno 1152, Conventus venit ad Driburgh die Sancte Lucie"[4] (December 13th.)

[1] Caledonia, vol. i. pp. 503, 4. The munificence of David I. to the church is proverbial. As Hugh de Morville appears to have been the earliest benefactor, if not the actual founder, of the Abbey of Dryburgh, it may not be out of place to give a short account of him from the *Caledonia:* "Among the English settlers in Scotland, not one was more early in his attachment, or rose to greater eminence in the state, than Hugh Moreville, who came from Burg, in Cumberland. Under David, he acquired vast possessions in Lauderdale, in the Lothians, and, above all, in Cunninghame, along the northern bank of the river Irvine. Under his munificent master, Hugh de Moreville became Constable of Scotland, which office descended, hereditarily, through a long succession of illustrious heirs, both male and female. He was the original founder of the monastery of Dryburgh, and he died in 1162. By Beatrice de Bello-Campo, his wife, he left Richard de Morville, who enjoyed his high office and great possessions, and became the principal Minister of William the Lion. Richard married Avicia de Lancaster, who is emphatically mentioned with him as a patroness of the Monks of Melrose. Richard de Morville died in 1189, and his wife Avicia in 1191. They left their opulence and feudatories to their son William, and a daughter, Elena, who was destined to carry all those enviable objects into a different family. William acted a conspicuous part towards the end of the twelfth century. He married Christian, though of what family does not appear, but she brought him no issue; and he died in 1196. On the death of William without lawful children, his high office and vast estates were enjoyed by Elena and her husband the Lord of Galloway."

I. p. 503. 4.

[2] Chron. Mailr. p. 74. [4] *Ibid,* p. 75.

[3] Le Paige, *Biblioth. Præmonstrat. Ord.* In the Circaria Angliæ Borealis et Scotiæ, Le Paige gives six houses of the order in Scotland, but so disfigured in spelling, and misplaced, that it is difficult to recognise them.

1. *Ecclesia viridis stagni,* or Saulsete; a daughter of the chief house of Prémontré.
2. *Sacri nemoris,* Dercongal or Holywood, daughter of Saulsete.
3. *Candidæ casæ,* or Whithorn, a daughter of Saulsete.

Although the rules of the Order of *Præmonstratenses*, thus founded at Dryburgh, were the same as those observed in other similar institutions, and which are well known, it appears appropriate to the present work, and may be interesting, as this is the first of the Registers of that religious order which has been published in Scotland, to give a short account of their manners and employments.

In Britain they were usually styled White Canons, from the colour of their dress, which consisted of a white cassock, with a rochet and cape over it, a long white cloak, and a square hat or bonnet, of white felt. They likewise wore breeches and shoes, but no shirt. The abbot wore red shoes, and a short cloak, and had a pastoral staff, like a shepherd's crook. At first they were poor, and lived by their labour; but their piety soon gained them benefactors, and they became rich. Their possessions were exempted from paying tithes; they were not subject to the bishop's jurisdiction; and they could not be cited before a secular tribunal. Their time was divided between their religious exercises, the cultivation of their fields, their household offices, and reading and transcribing books. ORDER OF PRÆMONSTRATENSES.

Their devotions, which were performed seven times a-day, began at a very early hour with MATINS. They were awakened by the bell of the dormitory, which was rung as long as would be required to say the seven penitential psalms; during which time they dressed themselves, and said their private prayers, until, upon a sign from the prior, they went in procession to the church, each individual kneeling in the middle of the choir, and bowing reverently toward the altar, before taking his seat. The matutinal service being finished, they returned to bed, and reposed until the hour of PRIME, or six o'clock, when they were summoned to attend during the

4. *Tungland*, a daughter of Cockersand.
5. *Drieburg*, a daughter of Alnewic.
6. *Novæ Ferinæ*, or Ferne, in the diocese of Rosmarky, daughter of Whithorn.

In the Circaria Hiberniæ, two monasteries are noted, which, in the spelling of Le Paige, stand Duix Lacroisse and Grafergosensis, and both of which he calls daughters of Dryburgh. Pennant gives these Irish abbeys the names of Drum la croix and Woodburn. *Bibl. Præmon.* pp. 333, 334, 343.

Order of Præmonstratenses *continued.*

celebration of the ordinary mass, and such private masses, as, on particular days, might happen to be said at any of the side altars at the same hour. After this, they were accustomed to remain some time in private prayer in the church; and some of them went to confession, in the chapter-house. Such exercises occupied the time, until the bell rang for holding the daily meeting of the chapter; when they all assembled in the cloister, before proceeding to the chapter-house; the transcribers of books, and those at work out of doors, hastening in to be present with the rest. Every one, as he entered, bowed towards the place of dignity; and the abbot, when they were all assembled, invoked a blessing upon them. Suitable prayers having been said, a lesson was then read from the rules of the order; and the names of those appointed to any particular services were read from the register; every one, on his name being pronounced, bowing reverently, in token of obedience. Next, the deaths, and other events to be commemorated, were given out from the calendar. Then the abbot, standing in his place, pronounced the absolution of the souls of the dead. Those who had been convicted of any fault, were accustomed, at this time, to prostrate themselves on the ground, and, making an humble confession, entreat forgiveness: Penance was enjoined, and, if it was judged fit, punishment was sometimes inflicted on the spot, by the prior, or his deputy. Accusations were likewise heard by the abbot, openly, in the chapter, against any one under his jurisdiction or authority. The business being concluded, they united in repeating the cxxx. psalm, "De profundis," unless it happened to be a high festival. Then the abbot or president said, "Our help is in the name of the Lord," and the rest added, "Who made heaven and earth." In winter, the chapter was concluded at the hour of Tierce, or nine o'clock; and the "Salve Regina" having been given out by the precentor, they proceeded into church, two by two, singing this hymn. In summer, there was an interval before Tierce, during which they went about their usual employments. High mass was sung at Tierce in summer; but at Sexte, or twelve o'clock, in winter.

ORDER OF PRÆMONSTRATENSES *continued.*

The community dined in the great hall, or refectory, at one o'clock; and the abbot, if present, asked a blessing. During this and their other meals, one of their number standing at a desk in the side of the hall, read to them out of the Holy Scriptures, or some other edifying book: and they took this office by weekly turns. They also waited upon each other at table, in the same rotation; having taken their meal previously, along with the reader. They all stood in their places till blessing was pronounced, after which the reader, having mounted his desk, began to read, and the rest to eat. Only two dishes were allowed, except on particular occasions, when another, called a pittance, usually consisting of some sweet, or more delicate food, was added. It was brought in after the second dish, and presented to the abbot, or to the person who presided in the abbot's place, who caused it to be distributed. Much civility and politeness were practised. They were attentive to each other's wants, and indicated them to the cellarer, or to the brother who served. They bowed to each other on presenting or receiving any thing. He to whom the abbot, or president, sent any thing, first bowed to the servant who brought it, and then, rising up a little, to the superior who sent it. Those who came into the hall too late, and without a good excuse for their delay, said a Paternoster and an Ave Maria, by way of penance, sat down at the bottom of the least frequented table, and were not entitled to any ale or wine, without the special permission of the abbot, or president. After dinner some went to repose, others conversed till the hour of NONES, or three o'clock, when there was another service in the church, at the end of which they washed their hands, and sat down together in the cloister, till, a signal being given, they again entered the refectory, for a few minutes, to drink. At six o'clock they attended the VESPERS, or evening service. The COMPLETORIUM, or COMPLINE, was said or sung in church after seven; and then taking a light supper, called COLLATIO, they went to bed. Sheets were not allowed, nor any linen, except in sickness; and they all slept in the same room, called the dormitory, but in separate beds, in their usual clothes. Not content with the forty days' abstinence appointed by the

ORDER OF PRÆMONSTRATENSES *continued.*

Church, they kept a fast from Holyrood (September 14) till Easter; taking no food till after Nones, and abstaining entirely from flesh. They began, however, to relax somewhat of their strict observance of this rule before the year 1245; and in 1460, Pope Pius II. gave them power to dispense with it.

In time of hay-making and harvest, they went to work early in the morning, and sometimes did not return home till after Vespers; but were bound to recite their prayers in the fields at the canonical hours. On festivals they did no work, but read during the time usually appropriated to that purpose. Instances, however, occur of special dispensations and permissions to perform work on such occasions. There were no schools in monasteries of this order; but no one ignorant of Latin could be admitted into it. The lay brethren were taught to recite the Creed, the Paternoster, Ave Maria, and other prayers; but were not allowed books.[1]

The history of the Abbey shall now be shortly traced through its successive Abbots and Commendators, so far as these have been ascertained.

THE ABBOTS
1. *Roger.*

1. ROGER was made the first abbot,—"Rogerus factus est abbas primus," 13th December 1152.[2] He was witness to a confirmation by the archdeacon and whole clergy of Lothian, of a composition between Melrose and the church of Dunbar, in presence of Richard bishop of St Andrews, regarding the tithes of the granges of Edmundeston and Hertesheued.[3] He had three bulls addressed to himself by Pope Alexander III., confirming grants to his abbey, and permitting service there in time of general interdict.[4] "Rogerus abbas primus de Drieburc curam ovium resignavit," in 1177.[5]

[1] *Bibl. Præmon.*, Fosbrooke's *British Monachism*, and Morton's *Monastic Annals of Teviotdale*, p. 291, *et seq.*

[2] Chron. Mailr. p. 75.

[3] Liber de Melros, I. p. 42.

[4] Nos. 253, 254, 255, pp. 203, 204.

[5] Chron. Mailr. p. 88.

II. Girardus the prior was the second abbot,—"Girardus Prior ei ad ministerium successit," in 1177.[1] He had a general privilege of the churches, lands, fishings, teinds, &c., from Pope Lucius III., in the third year of his Pontificate, 1184.[2] *The Abbots continued. 2. Girardus.*

III. Richard was probably the third abbot. He was one of the witnesses at a very solemn convention between the High Steward's Knights of Innerwick, and the abbey of Kelso, made "at the feast of St Martin next after Philip King of France and Richard King of England went to Jerusalem, which was in the year 1190 from the Incarnation of the Lord."[3] He also witnessed a charter of Alan Fitz Walter, along with Bishop Jocelyn of Glasgow.[4] He was probably succeeded by *3. Richard.*

IV. Alan, who had a confirmation from Pope Celestinus III., in the fifth year of his Pontificate (1196,) of the churches of Lessedwyn, &c.[5] *4. Alan.*

V. Geoffrey was abbot in 1203. At Whitsuntide of that year, he was present, along with William bishop of St Andrews, and many other churchmen and lay lords, at the settlement of a dispute between the monks of Kelso and William de Vipont, which was adjusted by De Vipont consenting to discharge the monks of their obligation to carry the bones of his father from England, and to bury them in the churchyard of Kelso, and the monks agreeing to include his father amongst the list of benefactors to be prayed for in the monastery.[6] On the 10th September 1208, the new cemetery of Dryburgh was consecrated by William bishop of St Andrews.[7] As one of the Papal delegates, Geoffrey settled a dispute between Melrose and Sir *5. Geoffrey.*

[1] Chron. Mailr. p. 88.
[2] No. 249, p. 194.
[3] Liber de Kelso, p. 206, 214.
[4] Liber de Melros, p. 60.
[5] No. 250, p. 197.
[6] Liber de Kelso, p. 112.
[7] Chron. Mailr. p. 107.

THE ABBOTS *continued.* William de Hunum regarding the lands of Rasawe, after the 2d of November 1208.[1] He was removed from Dryburgh, and became abbot of Alnwick, in 1209.[2]

6. *William.* VI. WILLIAM, the prior of the abbey, succeeded.[3] He was a delegate in the settlement between St Andrews and the Culdees of Monymusk, 1211-13.[4]

7. *Hugh.* VII. HUGH was abbot in 1221, in the Lent of which year he acted as a Papal delegate in the settlement, at Edinham, of a dispute about tithes between the Abbot of Kelso and Alan de Mundegumerie, knight; at which settlement were present "the whole chapter of the Merse."[5] He was one of six delegates, in 1221, for settling a controversy between Dunfermline and Cupar.[6] In December 1225, his abbey was engaged in a dispute with the Prior of May regarding the tithes of the Church of Kilrennie. Dryburgh claimed tithes of fish, because the fishing-boats used to lie in the middle of the river which separates the parish of Kilrennie, belonging to Dryburgh, from Anstruther, the property of May, dropping their anchors and fixing their moorings within the parish of Kilrennie. The monks of May compounded by paying a merk yearly.[7] Hugh was witness to a composition between the Bishop of Glasgow and the abbey of Kilwinning, in 1226.[8] Hugh is also mentioned as abbot of Dryburgh in 1228.[9]

8. *Henry.* VIII. HENRY was probably the next abbot. He is mentioned as abbot

[1] Liber de Melros, p. 124. The date is fixed by the consecration of Walter bishop of Glasgow, who was present.

[2] Chron. Mailr. p. 107.

[3] *Ibid.*

[4] Regist. Aberdon. II., p. 264.

[5] Liber de Kelso, p. 216.

[6] Regist. Dunf., p. 133.

[7] No. 192. It may be observed, that in the MS. Register the neighbouring parish has been erroneously written Kinstruther, instead of Einstruther. The same deed occurs in *Regist. Prior. S. Andr.*, p. 395.

[8] Regist. Glasg., p. 118.

[9] No. 251, p. 198.

in a charter by Helyas de Brothirstainside of lands to the abbey, without date, but presumed to be about 1230.[1] *The Abbots continued.*

IX. Walter was abbot of Dryburgh in 1240,[2] when he resigned his office, and was succeeded by *9. Walter.*

X. John, a canon of the house.[3] Soon after his election, Abbot John assisted at a compromise between the monks of Kelso and some of their tenants in Clydesdale.[4] He was present in a chapter of the clergy of East Lothian (capitulo orientali Laudonie) at Lauder, on Saturday after the feast of St Peter ad vincula 1245, when a dispute was settled between the priory of St Andrews and the Nuns of Haddington regarding the tithes of Stephinstun.[5] *10. John.*

XI. Oliver was the next abbot of whom we find any mention. On the 6th of December 1262, he was witness to a charter of William de Alwentun to the monks of Melrose;[6] and seven days later, on the feast of St Lucia, he and the abbot of Kelso witnessed a grant to the monks of Melrose, of the fishings of Malcaruistun, for their support and recreation.[7] Oliver was still abbot in 1268.[8] *11. Oliver.*

XII. Thomas was probably the next abbot. He granted a charter of lands in Giffen to Richard, chaplain to Alan, Lord of Galloway, without date, but presumed to be about 1270.[9] *12. Thomas.*

XIII. William is the next abbot of Dryburgh who appears. He and the canons are found doing homage to Edward I., on 2d September 1296, *13. William.*

[1] No. 165, p. 116.
[2] Chron. Mailr. p. 150.
[3] *Ibid.*
[4] Liber de Kelso, p. 162.
[5] Reg. Prior. S. Andr. p. 329.
[6] Liber de Melros, I. 294.
[7] Liber de Melros, p. 301.
[8] Chron. Mailr. p. 215.
[9] No. 229, p. 167.

THE ABBOTS *continued.*

at Berwick, and obtaining thereby restitution of their property, which had been seized by the English.[1] About the year 1316, this abbot was a witness to a grant by William de Lamberton, bishop of St Andrews, to Kelso, of the church of Grenlaw with its chapels, *in proprios usus.*[2] He also witnessed a charter of confirmation by Patrick of Dunbar, Earl of March, to the abbey of Melrose, of the lands of Redpath, about the year 1319.[3] In 1322, the monastery of Dryburgh was burned and reduced to ashes by Edward II., in his retreat from his unsuccessful expedition into Scotland.[4] In 1324, William was still abbot. In that year he appears as a witness in a charter to Melrose, of the patronage of the church of Owchiltre, and several others.[5]

14. *Roger.* XIV. ROGER abbot of Dryburgh occurs as witness to a charter, granted between 1324 and 1328, by which Sir John de Graham confirmed the whole of Eskdale to the monks of Melrose.[6]

15. *David.* XV. DAVID abbot of Dryburgh is witness to a charter to Kelso in 1329;[7] and he is called abbot in 1338.[8]

16. *Andrew.* XVI. ANDREW was abbot of Dryburgh, and witnessed a charter of Roger de Auldton, which was confirmed by David II., April 1, 1354.[9]

The four abbots of Teviotdale were, from their position, more peculiarly subject to English influence; which accounts for their sanctioning by their presence, Edward Balliol's surrender of the kingdom of Scotland to Edward III., at Roxburgh, 20th January 1355. On the 14th May 1373,

[1] Ragman Rolls.—Rotul. Scot.

[2] Liber de Kelso, p. 250.

[3] Liber de Melros, p. 389.

[4] Fordun, XII. 4.—" Monasterium de Driburgh igne penitus consumptum est, et in pulverem redactum."

[5] Liber de Melros, p. 367.

[6] *Ibid.* p. 343.

[7] *Ibid.* pp. 366, 369, 374, 381.

[8] Regist. Glasg. p. 244.

[9] Liber de Kelso, p. 387.

they had a warrant from the King of England for shipping eighty sacks of wool of Scotch growth at Berwick, paying only a half mark of duty on each sack.[1] *The Abbots continued.*

In 1385 Dryburgh was again burned in the raid of the young Richard II.[2] Apparently to compensate for its sufferings, King Robert III., in the first year of his reign, granted to the Abbey all the lands and revenues of the Cistertian priory of South Berwick, who, he declared, had indulged in dissolute and incontinent lives, and the number of whom had been reduced to two.[3]

XVII. John is the name of the next abbot. On the 29th of February 1398, he was witness to an obligation of Archibald M'Dowell of Malkarston, for the amount of his relief granted by the Crown "to the new werke of the kirke of Melros."[4] On the 8th of March 1410, John abbot of Dryburgh was present when Henry bishop of St Andrews confirmed the union of the possessions of the Nuns of South Berwick to Dryburgh.[5] *17. John.*

XVIII. Thomas abbot of Dryburgh, on 23d September 1434, acted as Papal delegate in determining upon a claim of Kelso to the chantry founded by Roger de Auldton.[6] *18. Thomas.*

XIX. James was abbot of Dryburgh on the 16th of November 1444, *19. James.*

[1] Rotuli Scotiæ.

[2] Scotichron. XIV. 50.

[3] Reg. Mag. Sig., 199, 15.

[4] Liber de Melros, p. 490.

[5] MS. notes by George Crawfurd, "of writes in the Lady Cardross' hands, Jan. 2, 1721," in the possession of Joseph Robertson, Esq. We owe to the same collection the preservation of the following note—"Grant by Alex. Spure burgensis de Berwik, pro salute Regum Willelmi et Alexandri et suorum . . . . Beatæ Mariæ et Sancto Leonardo de Suthberwick et monialibus ibidem Deo servientibus, unam bovatam terræ arabilis in territorio de Bondington, quam quidem terram emi a Willelmo filio Neysi. Testibus domino Hugone de Berkeley tunc justiciario Laudoniæ,"—which Crawfurd has noted to be "about 1284;" but it is considerably older.

[6] Liber de Kelso, p. 417.

THE ABBOTS *continued.*

when, on the occasion of a dispute between his abbey and Melrose concerning the great tithes of the parish of Lesseduen, in presence of the four abbots of Teviotdale, in the chapel of St Mary Magdalene, in the hospital of Rutherford, an ancient custom was cited, according to which, disputes occurring between any two were to be settled by the arbitration of the remaining abbots; and abbot James of Dryburgh "respondit quod super hoc voluit de novo avisare."[1]

20. *Walter.*

XX. WALTER, abbot of the abbey of Dryburgh, granted a tack, dated 16th November 1465, in favour of a "worschipful squear, William Haliburton of Mertoun and Jonet his spous, of a plew of land of the Bouchicoits with their pertinents lyand within the lordship of Smailhame, within the sherifdome of Tevidale."[2] On the 4th of March 1466, William Craynston of Corsby knight, as justiciar besouth Forth specially constitute, granted a commission to Walter abbot of Dryburgh, to which were witnesses, Sir Alexander Hume of that ilk, knight, James Haig of Bemersyde, Nicholas Forman of Hutton, and Mr Jasper Cranston, rector of Fetteresso.[3] In 1472, Walter appears to have been still abbot of Dryburgh;[4] and the exact period of his death, or demission of office, has not been ascertained.

Walter was probably the abbot of Dryburgh, who on 31st July 1473, pursued an action before the Lords Auditors against the Lord Hamiltoun, "for ye wranguiss occupatioun of ye lands of Ingilberisgrange, and ye withhaldin of ye malis of ye samyn, pertening to the said abbot and his convent, as was allegit." The Lords found that "the Lord Hamiltoun dois na wrang in the occupatioun of ye lands, nor takin and holdin of ye malis and proffits yairof."[5]

Nor is it improbable that Walter was still Abbot of Dryburgh on 1st July 1476, when another action was "perseuit be a venerable faider

[1] Liber de Melros, p. 575.
[2] Appendix, No. xiii. p. 278.
[3] Crawfurd's Cardross notes, *ut supra.*
[4] *bid.*
[5] Acta Auditorum.

in God, the abbot and convent of Driburgh on the ta pairt agains Adame Edgar of Wedderlye and Paule Cristy, the said Adame upon the wranguiss occupatione and manuring and with-haldin fra thaim of the landis of Knokfelde, and of taking and with-haldin of the malis of the samyn the space of xvi yeirs bigain, extending yerly to tene marks, and als the said Adame and Paule upon the wranguis takin and with-haldin fra thaime of certain charters and evidents and letteris of infeftment of the said lands, baith the parties beand personally present, the said Adame allegiand to be under resputt be a letter under the priue sele of our Soveraine Lords given be the bischop of Abbirden, in the quhilk he is expremit. The Lords Auditors differs the matter concerning the said Adame to the said resputt, and becaus the said Paule Cristy grantit in presence of the lords that he haid twa letteris and euidents concerning the lands of Knockfelde, ane with a sele and ane vthir with mony selis, quhilk he deliurit to the said Adame, as he said that thairfor he enteret his persone within the prisone of the burgh of Edinr. at the will of the said abbot and convent thair to remain on his awin expensis quhil he be fred be the kingis hienis," &c.[1] Walter seems to have been succeeded in his office by

The Abbots continued.

XXI. John, who was abbot in 1479. "Dominus Johannes Crawfurd Canonicus Regularis de Dryburgh," was incorporated a member of the university of Glasgow on the morrow of S. Martin 1476.[2] On the 6th of November 1479 there was an action pursued by " A venerable fader in God, John of Crawfurde, abbot of Driburgh, on the ta part, against Johne of Dewar, on the tothr pairt, for the ranguiss occupatioun of the Kirklandes of Saltoun, pertening to the said abbot and convent, and occupeit be the said John but tak or set, as was allegit, the said Johne Dewar beand lauchfully and peremptorily summoned, and oft tymes callit and not comperit, the Lords of Counsale decretis and deliurs that the said Johne of Dewar sall

21. John Crawfurde.

[1] Acta Auditorum.

[2] Annales Univer. Glasg. p. 51.

The Abbots continued.

incontinent devoid and red the said landis to be broukit and joysit be the said abbot and convent."[1]

Dean David Dewar, a canon of Dryburgh, claims to be abbot in 1480.

Dean David Dewar, a canon of Dryburgh, and vicar of Mertoun, appears to have claimed to be abbot after the death of Walter, and to have exercised some of the privileges of the office of abbot, by granting tacks of certain lands, &c., belonging to the abbey. This occasioned litigation in the civil court between the respective lessees of Abbot John Crawford and Dean David Dewar, the competing claimant.

Reports appear on record of actions between these parties regarding lands in Pencaitland, St John's Chapel, and others belonging to the abbey, on 26th June 1480, 23d March 1481, and 26th March 1482.[2]

In another action, reported on 23d January 1488, at the instance of the abbot and convent of Dryburgh against Adam Bell, "ffor the wrangwis intrometting, uptakin, and withhalding fra thaim of the teyndis and froitis of the kirk of Saltoun, in the yere of God 1483 yeris, and the said Adame Bell agane Dene David Dewar, *abbot for the time of the said abbay, and now*[3] vicar of Mertoun, for the werrandiss of him of the said teyndis and froitis. All the saidis partis beand present be thaimself and thair procuratouris, thair richtis, ressouns, and allegatiouns at lenth sene, hard, and understandin, because the said abbacy was in contentioun betuix the said partiis the said tyme, and the said Dene Dauid grantis that he aucht to werrand the said Adame, and is a spirituale and beneficiit man, that thairfore the said abbot gere call the said Dene Dauid before the spirituale juge for the said mater."[4] And of the same date "Johne Hume of Quhitrig, as procurator for the abbot and convent of Driburgh, comperit and protestit that the geuing of the decrett before written suld turne the said abbot and convent to na prejudice."[5]

[1] Acta Dominorum Concilii.

[2] *Ibid.*

[3] These words in Italics are scored through in the Record, thus leaving it doubtful if David Dewar had ever actually been abbot.

[4] Acta Dominorum Auditorum.

[5] *Ibid.*

Abbot John Crawfurd was probably succeeded by — *The Abbots continued.*

XXII. Andrew, who was abbot of Dryburgh in 1489. He and David Finlayson, a canon regular of Dryburgh, witnessed a resignation by James Haig of Bemersyde to his son William Haig, of the lands of Bemersyde, dated 12th February 1489.[1] Abbot Andrew continued in office till the year 1506 at least, as there was a "Resignation of lands about Lanark, by John Johnston of Petinyn, to Andrew Liderdale, abbot of Dryburgh, testibus Alexandro Hume filio et apparente herede nobilis et potentis Domini Alexandri Hume de eodem, Johanne Carmichael de Midowflat, Willelmo Carmichael de eodem, Roberto Maxwell de Calderwood, 1506;" also, "a Sasin in 1506, Andreas Liderdale, Abbas de Dryburgh; the first I have found of the name."[2] — *22. Andrew Liderdale.*

XXIII. James Stewart was probably the next abbot of Dryburgh, as on 8th July 1507 a legitimation was passed at Glasgow in favour of James Stewart, rector of Ancrum, son natural of the deceased Mr John Stewart, "to qualifie him for being abbot of Dryburgh."[3] No evidence, however, has been found showing that he actually became abbot in consequence of this preparative step. — *23. James Stewart, the first.*

XXIV. David Finlayson is the name next mentioned in connexion with the office of abbot in the year 1509. It has been seen that he was a canon regular of Dryburgh in 1489;[4] and there was presented to King James an "address by the convent of Dryburgh, that he may prefer being duly elected abbot of Dryburgh, and before was rector of Gullayn 1509, Dominum David Fynlaston vicarium de Gullyn."[5] It has not been ascer- — *24. David Finlayson.*

[1] Original in the possession of James Haig, Esq., of Bemersyde.

[2] George Crawfurd's Cardross notes.

[3] *Ibid.*

[4] *Ut supra.*

[5] *Sic in orig.*:—George Crawfurd's Cardross notes.

THE ABBOTS *continued.*

tained that this address was agreed to on the part of the King by the appointment of the nominee of the convent. At that time their election may have had but little weight in inducing the king to give effect to it.

There is indeed no sufficient evidence, that after the death or demission of abbot Andrew Liderdale, about the year 1506, Dryburgh ever had another abbot properly so called. During the subsequent century that the abbey continued to exist as a religious house, it was held *in commendam.* A list of the Commendators will now be given. The first was,—

COMMENDATORS OF DRYBURGH.

25. *Andrew Foreman.*

XXV. ANDREW FOREMAN, a well-known churchman of the 16th century. He was of the family of Foreman, of Hutton, in Berwickshire. He enjoyed a remarkable plurality of benefices. In 1498, he was the Pope's pronotary, and was afterwards his legate *a latere.* He was prior of May in 1498, bishop of Moray in 1501, and held at the same time the priories of Coldingham and Pittenweem, to which was added, before 1512, the commendatorship of Dryburgh, which he appears to have retained till the year 1515. He was appointed archbishop of St Andrews, in 1514.[1] He was also per-

[1] Keith's *Catalogue,* p. 22. Pitscottie attributes the Archbishop's favour at the courts of Rome and France to his having had the address to bring about a peace between Pope Julius II. and Louis XII., when they were in the field, at the head of their respective armies, ready to give each other battle. But this is not supported by history. The same author gives the following curious, but absurd, account of a banquet, by Forman to the pope and cardinals: — "Then this bischope maid ane banquett to the Pope and all his cardinallis, in one of the Pope's awin palaces, and when they war all sett according to thair custome, that he who ought the hous for the tyme should say the grace; and he was not ane guid scholler, nor had not guid Latine, bot begane rudlie in the Scottise faschioun, saying 'Benedicite,' beleivand that they schould have said 'Dominus.' bot they answeired, 'Deus,' in the Italiane faschioun, quhilk pat the bischope by his intendment, that he wist not weill how to proceid fordward, bot happened in guid Scottis in this manner, sayand quhilk they vnderstuid not, 'The divill I give you all false cardinallis to, in nomine Patris, Filij, et Spiritus Sancti, Amen.' Then all the bischope's men leugh, and all the cardinallis thamselffis; and the Pope inquyred quhairat they leugh, and the bischop schew that he was not ane guid clark, and that his cardinallis had put him by his text and intendment, thairfoir he gave thame all to the devill in guid Scottis, quhairat the Pope himselff leugh verrie earnestlie."—Pitscottie's *Chron. Scot.* Edin. 1814, I. p 254.

petual commendator of Dunfermline in 1517. He died and was buried at Dunfermline in 1522.[1] Spottiswoode says of him, that he was "a plain, open man, but said to be profuse;" and, "that besides the benefices he possessed in Scotland, he was archbishop of Bourges in France, by the gift of King Louis XII., which did greatly increase his means."[2] THE COMMENDATORS continued.

XXVI. JAMES OGILVIE, rector of Kynkell and canon of Aberdeen, a son of Ogilvie of Boyne, and a person much employed in public business, had a grant of the abbacy of Dryburgh *in commendam*, in recompense, as Spottiswoode says, of the bishopric of Aberdeen, to which he was presented by the Regent Albany, but which he was afterwards obliged to resign. In the treasurer's accounts, under date 12th September 1515, he is styled "Mr James Ogilvy, *now my Lord Dryburgh.*" Under the designation of commendator of Dryburgh, he is stated as one of the witnesses to a remarkable Deed of Foundation of a house of Observantine friars at Montrose, by Patrick Painter, principal Secretary of State, dated 14th November 1516, which was ratified in Parliament the same day.[3] In an Instrument dated 2d August 1517, he is designated as Mr James Ogilvie, commendator of Dryburgh, and tutor to John Ogilvie, son and heir of Sir William Ogilvie of Strathern (in Moray.)[4] He died at Paris on the 30th of May 1518, and was buried there in the Church of St Landrus. His anniversary was founded and celebrated with much solemnity in the cathedral of Aberdeen.[5] *26. James Ogilvie.*

XXVII. DAVID HAMILTON, bishop of Argyle, a natural son of James Lord Hamilton, father of the Earl of Arran, next held the abbacy of Dryburgh *in commendam*. He was commendator on December 4, 1522,[6] and must have died or demitted his office in less than a year from that date. *27. David Hamilton.*

[1] Keith's *Catalogue*, p. 22.

[2] History, p. 62.

[3] Regist. Aberdon. Act. Parl. I. p. 389.

[4] Original in the Charter-room at Gordon Castle.

[5] Regist. Aberdon. II. p. 207.

[6] Crawfurd's Cardross notes.

The Commendators *continued.*

At that time the Borders were the scene of savage devastation, which Surrey deliberately proposed to perpetuate, by condemning a breadth of twelve miles of the Scotch border to remain for ever desert and uninhabited. The property of the church, and even the sacred buildings, were no more respected than those of laymen. In the midst of that destructive pillaging, Albany bestowed the benefice of Dryburgh upon Lennox, who appointed as its commendator,—

28. *James Stewart the second.*

XXVIII. James Stewart,[1] who was a canon of Glasgow Cathedral. On the 13th of December 1523, Cardinal Accolti, the promoter of Scotch affairs at Rome, was instructed to obtain his nomination to the vacant abbacy, setting forth his fitness to rule the monastery in the troubles and disasters to which it was exposed.[2] Stewart was soon involved in a feud with the Haliburtons, neighbours and tenants of the abbey, which was ended for a time by the marriage of Agnes Stewart, daughter of the abbot, with Walter Haliburton. On the 27th June 1537, the abbot, along with his convent, executed a declaration in favour of Walter Haliburton and Agnes Stewart, his spouse, regarding the lands of Nether Shielfield;[3] and on the 3d of September 1538, Walter Haliburton of Mertoun had a charter of the lands of Butchercoit, granted by Abbot James, with consent of his convent, and subscribed by the abbot himself, the sub-prior, and fifteen canons of the convent of Dryburgh.[4] "The offspring of this marriage was an only daughter,

[1] Pinkerton, II. 234, *et ibi citat.*

[2] Cotton MSS. Calig. B. 1, fol. 137, quoted in Morton's *Teviotdale*, p. 300.

[3] Appendix, No. xiv. p. 279. A charter was granted by James Abbot of Dryburgh, with consent of the Convent, to Hew Lord Sommervale, and Janet Maitland his spouse, of the L.8 land of old extent of Inglisberry-grange, with the pertinents, in the parish of Pettynane—dated at Dryburgh 13th May 1538—*Witnesses:* George Ker of Lyntoun, James Lewingstoun Junior of Gerviswood, John Stewart, Sir John Wilson, Matthew Kyrkpatryk, James Douglas, Walter Haliburtoun, David Somerville, James Somerville in Greinfeld, Sirs George Weir, John Bull and John Rolland Notaries.—(*Original in the Carmichael Charter-chest.*)

[4] Appendix, No. xvii. p. 285.

named Elizabeth Haliburton. As this young lady was her father's heir, the Haliburtons resolved that she should marry one of her cousins, to keep her property in the clan. But as this did not suit the views of the abbot, he carried off by force the intended bride, and married her to Alexander Erskine, a brother of the laird of Balgony, a relation and follower of his own. From this marriage sprang the Erskines of Shielfield.[1] This exploit of the abbot revived the feud betwixt him and the Haliburtons, which ended only with the dissolution of the abbey."[2]

The Commendators, continued.

James Stewart continued commendator till 1541,[3] and was succeeded by

XXIX. Thomas Erskine.[4] He was commendator in 1541,[5] and from this time the Abbey appears to have been held, almost without interruption, by different members of the House of Erskine, until the head of that family obtained an absolute grant of it, as part of the Temporal Lordship of Cardross, in 1604. This commendator did not possess his benefice in peace. In 1544—"Upon Friday the seventh of November, at four of the cloke at afternoon, Sir George Bowes and his company, Sir Brian Layton and his company, Herry Ewry, Liell Gray, porter, and the garrison of Barwick, John Carre, captain of Wark, and his company, Thomas Beamond, George Sowlby, Launcelot Carleton, and their companies, to the number of 700 men, rode into Scotland, upon the water of Tweide, to a town called Dryburgh, with an abbay in the same, which was a pretty town and well buylded; and they burnte the same town and abbay, saving the churche, with a great substance of corne, and gote very moche spoylage and insicht

29. Thomas Erskine.

[1] Also Ebenezer and Ralph Erskine, the founders of the first secession from the Church of Scotland.

[2] Hist. of the Scot. Border, vol. i. xcii., note. Ed. 1821.

[3] Compotum Magistri Alani Lawmonth olim Granitarij Archi-Episcopatus Sancti Andree Redditum.—(In the Advocates' Library.)

[4] Appendix, No. xviii., p. 287.

[5] Thomas Innes's MS. note-books, in the possession of David Laing, Esq., who has obligingly communicated other useful information for this work.

The Commendators, *continued.*

geir, and brought away an hundreth nolte, sixty naggs, a hundreth sheipe . . . and they tarried so longe at the said burnynge and spolaige that it was Satterday at eight of the cloke at nycht or they com home."[1] The Abbey does not appear to have been fully rebuilt after this destruction.

In the following year, 1545, the commendator of Dryburgh took his revenge in an inroad across the English border.[2]

On the 18th February 1546, Thomas perpetual commendator of the monastery of Dryburgh, and convent of the same, granted the teinds of Lauder to Mr Andrew Hume.[3]

30. *John Erskine, or Stewart.*

XXX. John was commendator of Dryburgh in 1548, on the 12th July of which year he granted a charter, of which only an imperfect note has been preserved.[4] On the 20th March 1554, John commendator of Dryburgh, with consent of the convent, granted and subscribed at Dryburgh, a tack of two merks of land in Mertoun to Thomas Myll and Walter Myll.[5]

This Commendator has been called an Erskine, and a Stewart, without any sufficient authority being cited for either of the conflicting statements. Thus, the late Earl of Buchan, in a letter describing Dryburgh, dated in 1791, states:—"Of this Abbey my noble and truly excellent ancestor John Erskine, afterwards" (Earl of Mar and) "Regent of the Scots, was Commendator during the lifetime of his elder brothers, Robert and Thomas, Lords Erskine."[6] Robert the elder brother was killed at the battle of Pinkie in 1547,

[1] Cotton MSS. Calig. B. v. quoted by Morton, p. 301.

[2] *Ibid.* p. 302.

[3] Appendix, No. xviii. p. 287.

[4] Inventory of part of the old title-deeds of Dryburgh, found in the repositories of the late Sir David Erskine of Dryburgh, and transmitted, in 1838, to Messrs Monypenny and Dalgleish, W.S., agents for his representatives.

[5] Appendix, No. xx., p. 291.

[6] "The Bee," vol. iv. p. 160.

and Thomas the younger died in 1551; and, according to the above statement, their younger brother John had been Commendator at these dates. THE COMMENDATORS, *continued.*

On the other hand, it has been stated that this Abbot was John Stewart, "the cousin of Lord Darnley, the husband of Mary Queen of Scots,"—and that "his armorial bearings are still on the walls of the Abbey, above the private entrance into the cloisters for the monks who had overstayed their time."[1] The same author gives a drawing of the arms, under which he calls Abbot John Stewart, not cousin, as in the passage just quoted, but *uncle* to Lord Darnley; and Mr Morton has followed this latter statement.[2]

None of the Charters granted by this Abbot, which have been recovered, contain his sirname, and no authority has been found to show whether he was of the Erskine or the Stewart family. The presumptions are, that he was of the former. John Erskine, the son of John Lord Erskine, was Commendator of Inchmahomo 16th August 1552, and he was succeeded in that office, in 1556, by his nephew, David Erskine.[3] This David Erskine, it will be immediately seen, also became Commendator of Dryburgh about the same time; and the probability is, that after John Erskine succeeded to the title of Lord Erskine, on the death of his father in 1552, and betook himself to new pursuits and employments, he had resigned the offices of Commendator of Dryburgh and Inchmahomo in favour of his nephew, David Erskine. Another nephew, Adam Erskine, son of Thomas Master of Erskine, was made Commendator of Cambuskenneth; and these three religious houses continued in the Erskine family, and were ultimately erected into the Temporal Lordship of Cardross, in favour of John Earl of Mar, as will be afterwards stated.

[1] Annals and Antiquities of Dryburgh, by the late Sir David Erskine of Dryburgh, 1828, p. 27. The arms referred to may have been those of Abbot *James* Stewart, No. xxviii.

[2] Morton, p. 302.

[3] Mar Papers, quoted in letter from David Erskine, W.S, dated 14th October 1789, printed in "*Fragmenta Scoto-Monastica,*" 1842, Appendix thereof, p. viii.

THE COMMENDATORS, *continued.*

31. *David Erskine.*

XXXI. DAVID ERSKINE, natural son of Robert Master of Erskine by Mrs Jean Home, was the next Commendator of Dryburgh. It has been seen that he became Commendator of Inchmahomo in 1556, but the exact date of his appointment to Dryburgh has not been ascertained. On 27th September 1559, he, as Commendator of Dryburgh, with consent of the Convent, granted a Charter in favour of Alexander Erskine and Elizabeth Haliburton, of the six merk land in Mertoun.[1] And on 16th January 1562, David, as Commendator of Inchmahomo, with consent of the Convent, granted a Tack of the Teinds of Newtoun of Down and Wester Row, in favour of Allan Oliphant his servitor.[2]

Great events befell the Abbey during David's connexion with it. Shortly after his appointment to the Commendatorship, the full tide of the Reformation had flowed upon this and the other similar religious houses in Scotland. Dryburgh, with the others, was annexed to the Crown after the Reformation; but there was a liferent reservation in favour of the Commendator, and other possessors of the principal mansions and their precincts, as well as the tithes, and they continued their residence at the abbey. This Commendator acted a prominent part in the stirring affairs of the times; and it will be necessary to give an account of the discharge of the office which he held for a period so long and important.[3]

[1] Appendix, No. xxi., p. 292.

[2] Besides the Commendator, the members of the convent subscribe this document as follows:—

"Den Thomas Maclellen, Sub Prior ad Idem
"Den James Bradfut
"Den Robert Schortus ad Idem
"Den Alane Baxter ad Idem
"Den Vellem Stirleng ad Idem
"Den Johin Baxter ad Idem."

—*Original Tack in possession of David Erskine Esq. of Cardross.*

[3] The account of the Chamberlain of Dryburgh, under this Commendator, for the year 1567, forms Part III. of Appendix (No. xlvii.) It contains several curious entries. These four follow each other (see p. 402–3):—

"Item gevin to the Priores and Madynnis that samin tyme in Driburgh at my Lordis command . . . . . . xx s.
"Item gevin to ane Nakit Lawd to help him to ane Coitt . . . . . v s.
"Item the ferd day of Maij gevin at my Lordis command to ane fuill in Thirlstane Manyss . . . . s.
"Item that same tyme gevin to Dwn having ane sair leg to maik his expensis being behind my Lord . . . ."

David Erskine is described by father Hay as "an exceeding modest, honest, and shame-faced man." He was of the Reform party, and a follower of the Regent Murray. He was made a privy councillor in 1579;[1] and by the Act of Parliament in 1572, appointing the young Earl of Mar governor to James VI., during his minority, "the friendis of the house of Erskine, Robert Erll of Buchan, David commendator of Dryburgh, Alexander Erskine of Gogar, William Douglas of Lochlevin," were named assistants to the Earl in the office. Erskine of Gogar, who was uncle of the Earl, took the chief charge of the young King. On the suggestion of the Regent Morton, Mar turned out his uncle, and became master of the King's person, and the Castle of Stirling, in 1578; and afterwards, in 1582, he joined the Earl of Gowrie in seizing the King at the Raid of Ruthven.

THE COMMENDATORS, *continued.*

In these proceedings of his chief, the "modest and honest" commendator David was a participator, with many others of the Erskines. They were obliged to take refuge in England; and in the parliament of 21st August 1584, they were found guilty of treason and lese majesty, and their estates confiscated to the crown.

Forfeiture of David Erskine, commendator, for treason.

During the residence of the commendator in England, David Home of Argatie, a dependant of the Earl of Mar, was indicted and tried on 8th December 1584, for "the tressonabill haifing intelligence fra Johne sumtym Erle of Mar, David sumtyme commendator of Dryburgh, our soveraine lord's traitors, declarit in parliament, in the ressait of lettres fra thaim, at the leist the ane or other of thame, and specialie fra Patrick Hume, his broder sone, servitor to Johne, sumtyme Erle of Mar, quhilkis lettres he ressauit fra Robert McWillie, quham he ressauit in his hous in passing and repassing to thame in Ingland, committit in the monethis of July, August, and September last by past." The assize, "be the mouth of George Dundas of that Ilk, Chancellor, fand the said Dauid Home to be culpabill fyllit and

[1] Folio Acts of Parliament, vol. iii., p. 96, *et passim.*

THE COMMENDATORS continued. conuict in contrauening of our soucrane Lordis Acts of Parliament in ressait of ane boy callit Rob. McWillie, and conceiling of the lettre send be him," "fra Patrick Home out of Ingland, and ressauing commendations fra the Abbot of Dryburgh from Ingland." The "Doum of foirfaulter was pronunceit that the said David Home suld be tane to ane gippet at the croce of Edinburgh, and thair hangit, quarterit and draun as ane traitor, and all his lands, &c., to be eschete to the King's vse."[1]

In a ratification dated 4th June 1585, by James VI. of a grant by David Commendator of Inchmahomo, in favor of Patrick Bathok of an yeirlie pension of nine merks out of the lands of Gartavertyne in the Stewartry of Monteith, David is designed "*sumtyme* commendator of Dryburght and Inchmahomo."[2]

The office of commendator of Dryburgh, during the forfeiture and absence in England of David, was bestowed on another, as

32. William. XXXII. WILLIAM appears in the Records of Parliament as commendator of Dryburgh on 31st July 1585.[3] He seems to have held the office only for a short period—from the forfeiture till the restoration of David.

In November 1585 the Earl of Mar and his banished friends returned from England with a large force, succeeded in depriving the Earl of Arran of his power over the King, and obtained an act, in December following, reversing the sentence of forfeiture, and restoring Mar and his friends to their honours, offices, and estates.

Restoration of David Erskine.

Thus reponed, David Erskine again became commendator of Dryburgh. On 4th March 1586 he granted, as Commendator of Inchmahomo, a tack of the teinds of Wester Lanark, to Mr Duncan Neven, schoolmaster at Dunblane, for teaching of the youth.[4]

[1] Records of Justiciary Court, and Pitcairn's Criminal Trials, Vol. I. Pt. ii. iii. p. 136.

[2] Original Tack in the possession of David Erskine, Esq. of Cardross.

[3] Folio Acts of Parliament, vol. iii. p. 381.

[4] Authenticated copy by the lessee in 1617, in the possession of the Earl of Mar.

On 10th June 1600, a Lease of teinds of the Mains of Mertoun was granted by David, commendator of Dryburgh; and instead of its bearing the usual consent of the convent, it states, as a reason for being granted by the commendator alone, that "*all the convent thairof now being decessit.*" [1]

THE COMMENDATORS, *continued.*

Decease of all the convent, stated in 1600.

There is something plaintive in this declaration of the death of all his compeers by the sole surviving representative of this religious house, which was itself destined, in a short time thereafter, to undergo a further change.

It will be shown that in 1604 James VI. included the Abbacy of Dryburgh in the Temporal Lordship and Barony of Cardross, erected in favour of John Earl of Mar, but there was reserved to the Commendator the Rents, Profits, and Emoluments of the Lands and others.

In virtue of this reservation, David continued to grant Leases of certain of the teinds belonging to the abbey. One of the Leases bears date 30th May 1608, being about fifty years after the first Lease by him above mentioned, which shows that he had enjoyed his benefice for half a century. This last Lease bears, in the old form, to be with consent of the convent, although they had all "decessit" at least eight years previously. It is subscribed by David alone.[2]

The granting of this Lease must have been among the last official acts of David Erskine, commendator of Dryburgh; as it is stated in a Deed of Provision by James VI., dated on 31st May 1608, being only the day after the last-mentioned Lease, and to be immediately noticed, that the abbacy was then vacant, and in his Majesty's hands as patron, through the demission of David commendator of the abbacy of Dryburgh.

After having been so long connected with Dryburgh, David demitted his

[1] Appendix, No. xxxiii., p. 316. [2] Appendix, No. xxxv., p. 319.

THE COMMENDATORS, *continued.*

office, that it might be provided to his kinsman, Henry Erskine, a son of the Earl of Mar.[1]

Demission of office by David Erskine.

33. Henry Erskine, and afterwards fiar of Cardross.

XXXIII. HENRY ERSKINE, second lawful son of John Earl of Mar and Lady Mary Stewart, second daughter of Esme first Duke of Lennox, was next made abbot and commendator of Dryburgh. On 31st May 1608, James VI. granted a *Provision* in his favour, making and constituting him "Indubitatum et irrevocabilem abbatem et commendatarium abbacie nostre de Dryburgh, ac priorem prioratus de Inchmahomo totius ac spiritualitatis dictorum dominorum beneficiorum tantum nunc in manibus nostris vacañ per dimissionem Dauidis commendatarij dicti Abbacie de Dryburgh, ac Prioris dicti Prioratus de Inchmahomo ultimum commendatarium ac possessorem dictorum beneficiorum."[2] This Provision was to subsist during all the days of Henry's life, with seat and vote in Parliament.

[1] The Commendator survived his demission of office for a few years, and the following particulars relate to his marriage, issue, and death:—

David Erskine, as Commendator of the Priory of Inchmahomo, granted a Tack in favour of "*James Erskyne our son and appeirand air,*" of the Teinds of various Lands. Dated 1st March 1580. (*Original in the possession of David Erskine, Esq. of Cardross.*)

"David Commendator of Dryburghe" died on 28th May 1611, as appears from the Record of the Confirmation of his Testament by "*Margaret Haldan his relict and only executrix*" nominated by him. It further appears from this record that David was ARCHDEAN OF BRECHIN, as there is confirmed as due to him in that character at Whitsunday 1611, by the Laird of Auldbar, as representing his father, the sum of L.1053 Scots for feuduties of the lands of the Drums. By his testament the Commendator beseeched the Earl of Mar to be a protector to his said spouse, "in the short time apperandlie she hes to leiff, and to assist mantyn fortifie and defend hir in hir rycht and agains ony that will pretend to do her wrang. And swa assuring myself heirof I commend his Lordschip with his noble and godlie lady and thair haill bairnis, friendis and familie to the blessing and protection of the eternal God. . . . . "DRYBRUCHE."

"*Margaret Haldan, Lady Dryburghe,*" the relict of the Commendator, died on 13th January 1618, as appears from the confirmation of her testament by "Harie Lord of Cardrous," executor nominated by her. It is presumed that James Erskine, their son and apparent heir in 1560, had predeceased them, as he is not mentioned in either of their wills. (*Records of Commissariat of Dunblane, vol. iii., 30th July* 1611; *and vol. v., 28th November* 1619.)

[2] Reg. Mag. Sig. Lib. 45. No. 196.

It will be afterwards shown that Henry Erskine was assigned by his father to the Fee of the Lordship and Peerage of Cardross, and that he predeceased his father in 1628.

A brief account of Dryburgh, after it was converted to lay and temporal purposes, will now complete its history.

Shortly before the Reformation, the Abbots and Convent granted several feu-rights of part of the Abbey Lands. In reference to two of these original Feus, and the present partition of Dryburgh into two distinct Estates, with separate Mansion-Houses to each, both situated near to the Abbey, a little explanation seems necessary. HISTORY OF DRYBURGH *after the Reformation.*

One portion of the Estate of Dryburgh, with the Mansion-House now called Dryburgh Abbey,[1] and which is adjacent to, and on the south side of the Ruins of the Abbey, belongs to the Earl of Buchan. As this portion comprehends the ruins, and a great part of the Church Lands, its history will be afterwards more particularly stated.

The other portion of the Estate of Dryburgh, with the Mansion-House also adjacent to, and on the north side of the Ruins of the Abbey, now belongs to Charles Riddell, Esq. The original House, which was called the Mantle House, was built by Alexander Erskine, the founder of the Shielfield family, in 1559, on ground feued from the Commendator. This house was occupied by the Erskines of Shielfield, as their family residence, they being also portioners in Dryburgh, for a period of 234 years, till the year 1793, when they sold it along with their Lands at Dryburgh to Mr Riddell, who pulled it down, and replaced it with the present Mansion.[2]

[1] This Mansion-House, it is said, was originally built by George Haliburton, in the year 1572, on a piece of ground feued from the Commendator about 1560. The House was afterwards, in 1682, repaired and modernized by Thomas Haliburton of Newmains; and the late Earl of Buchan, after he acquired Dryburgh in 1786, made considerable additions to the House, preparatory to adopting it as his residence. (Memorials of the Haliburtons in Dryburgh, 1820, p. 25; and Annals and Antiquities of Dryburgh, *passim.*)

[2] Annals and Antiquities of Dryburgh, *passim.*

History of Dryburgh, *continued.*

Erection of the Abbey as part of the lordship of Cardross, 1604.

Act 1606.

As already stated, James VI. granted a charter, dated 27th of March 1604, in favour of John Earl of Mar, of all the lands, baronies, castles towers, patronages, &c., which belonged to the Abbeys of Dryburgh and Cambuskenneth, and the Priory of Inchmahomo, and erected the same into the Lordship and Barony of Cardross.[1] It is stated that this grant was made to the Earl, "that he might the better provide for his younger sons whom he had by the Lady Mary Stewart, of whom the King took great care."[2]

An Act of Parliament was afterwards, on 11th July 1606, obtained for the erection of the said Abbeys and Priory into a Temporal Lordship, called the Lordship of Cardross, which narrates that "the samyn monasteries and superstitiouns thairof being now abolishit and the kirk landis of the samin now annexit to his hienes' crowne." It also narrates the previous charter, dated 27th March 1604, and ratifies the same; and dissolves from the Act of Annexation to the Crown, the lands, &c., of the said abbacies, and of new gives and grants to the Earl, "his heirs maill and *assignayis* heretable," the mansion of Dryburgh, &c., and patronage of all the churches, and erects the whole into the lordship and barony of Cardross,—and gives to the said noble "lord his airis and successouris that sal happin to be provydit be him to the "said lordship and baronie of Cardroiss the honor, estait, dignitie, and pre-"heminence of ane frie Lord of Parliament, to be callit Lord of Cardroiss "in all tyme cuming"—"Reservand to Dauid commendator of the Abbacy "of Dryburgh, the rentes, proventis, and emolumentis quhatsumevir of the "said lands and others."[3]

[1] Recited in Act of Parliament. Acts, vol. iv. p. 343. Cardross is situated in the parish of Port of Monteith, and county of Perth, and is now the property of David Erskine, Esq., descended from this John Earl of Mar. Mr Erskine, it will be observed, has kindly communicated several documents to form part of the present work.

[2] Crawfurd's *High Treasurers.* Alexander Erskine, third son of the same Earl and Countess of Mar, was also *Provided* to the Abbacy of Cambuskenneth at the same time that his Brother Henry got Dryburgh. (*Reg. Mag. Sig. No.* 45, 195.) This Abbot of Cambuskenneth was also a Colonel in the army. He was killed on 30th August 1640, at "that unhappie and lamentable exigence of the blowing up of the house of Dunglass by powder," along with his brother-in-law Thomas Earl of Haddington, and others. (*Records of Tynningham Parish.*)

[3] Folio Acts, vol. iv. p. 343.

In terms of this act, a crown charter was passed under the great seal on 10th June 1610,[1] granting to the said Earl and his heirs and assignees whatsoever the whole lands, &c., to be called the Lordship and Barony of Cardross, and making and constituting him and his heirs male assignees and successors therein, free Lords and Barons of the same, with the honour, title, and dignity, and right to a seat and vote in parliament. Other charters passed the great seal to the same effect on 10th April 1615, and 14th July 1634.[2]

History of Dryburgh, continued.

Charter of Cardross in 1610.

The Earl of Mar assigned the lordship and peerage of Cardross on 30th January 1617, to his said second son Henry Erskine, and to the heirs male of his body, reserving his own life-rent. This assignation was ratified by charter under the great seal on 13th March following.

Assignation of lordship of Cardross to Henry Erskine in 1617.

Henry Erskine having predeceased his father in the year 1628, never enjoyed the peerage of Cardross. He was styled *Fiar of Cardross*, in a crown charter, dated 29th March 1628, shortly before his death.[3]

David Erskine, only son of Henry, succeeded to the peerage of Cardross on the death of his grandfather in 1634, and was served heir to his father on 17th March 1637.[4] He had a new charter of Cardross dated 10th February 1664.[5] He died in 1671.

David, second Lord Cardross, 1634.

Henry, third Lord Cardross, son of David, sold that part and portion of the Lordship of Cardross, formerly called the "abbacie of Dryburgh," to Sir Patrick Scott, younger, of Ancrum, conform to disposition and rental, dated 24th June 1682.[6]

Henry, third Lord Cardross, 1671.

Sir Patrick Scott, who was called Lord of Erection of Cardross, sold that part of the Lordship, comprehending the ruins of the Abbey of Dryburgh, to Thomas Haliburton of Newmains, advocate, by disposition dated 22d January 1700. This appears from a crown charter of resignation, dated 12th February 1733, in favour of the said Thomas Haliburton, and

Thomas Haliburton of Newmains acquires Dryburgh Abbey in 1700.

[1] Reg. Mag. Sig. Lib. 46. No. 262.

[2] Reg. Mag. Sig. Lib. 47, No. 490; Lib. 48, No. 411; et Lib. 55. No. 3.

[3] *Ibid.* Lib. 52. No. 102.

[4] Retours, vol. i. Berwick, 221.

[5] Reg. Mag. Sig. Lib. 62. No. 9.

[6] Originals in the possession of David Erskine, Esq. of Cardross.

History of Dryburgh, *continued.*

John Haliburton, merchant in Edinburgh, his eldest son by Janet Campbell, daughter of Robert Campbell, of Northwoodside, whom failing to Robert Haliburton his second son, of all and whole that part and portion of the lordship of Cardross, formerly the abbacy of Dryburgh.[1] This Charter also contained the parts of Dryburgh which Thomas Haliburton previously held in feu, and on which his ancestor erected a Mansion-House, as already explained; but there were excepted in this Charter the parts of Dryburgh which then belonged to the Erskines of Shielfield, and which had never pertained to Sir Patrick Scott.

Robert Haliburton having succeeded to the estate of Dryburgh, in terms of the destination in the said charter, sold the same to Lieut.-Colonel Charles Tod, in the service of the Honourable East India Company, for the price of L.5500, by disposition dated 15th and 28th September 1767.[2]

Sir Walter Scott's account of the connexion of the Haliburtons with Dryburgh.

The Haliburtons of Newmains were the maternal ancestors of Sir Walter Scott, and he has himself stated their connexion with Dryburgh. He says, "Robert Scott of Sandy-knowe married, in 1728, Barbara Haliburton, daughter of Thomas Haliburton of Newmains, an ancient and respectable family in Berwickshire. Among other patrimonial possessions, they enjoyed the part of Dryburgh, now the property of the Earl of Buchan, comprehending the ruins of the abbey. My granduncle, Robert Haliburton, having no male heirs, this estate, as well as the representation of the family, would have devolved upon my father, and indeed Old Newmains had settled it upon him; but this was prevented by the misfortunes of my granduncle, a weak silly man, who engaged in trade, for which he had neither stock nor talents, and became bankrupt. The ancient patrimony was sold for a trifle (about L.3000);[3] and my father, who might have purchased it with ease, was dissuaded by my grandfather, who at that time believed a more advantageous purchase might have been made of some lands which Raeburn thought of selling. And thus we have nothing left of Dryburgh, although my father's maternal inheritance, but the right of stretching our

[1] Reg. Mag. Sig. Lib. 94. No. 56.

[2] Register of Deeds in Court of Session, Mackenzie's Office, vol. 202. 12th Nov. 1767.

[3] The exact price was L.5500, as stated in the disposition above mentioned.

bones, where mine may perhaps be laid ere any eye but my own glances over these pages."[1]

History of Dryburgh, *continued.*

[1] Autobiography of 1808, Lockhart's *Life*, vol. i. p. 66. The following sketch will make the connexion of the Haliburtouns and Scotts with Dryburgh more intelligible :—

Thomas Haliburtoun, portioner of Dryburgh, son and heir of James Haliburtoun and Margaret Haig his wife. Was born in 1597. Married in 1625, Mary Haliburtoun eldest daughter of John Haliburtoun of Mertoun. He acquired the Over and Nether Mains of Bemerside from David Haig in 1637, and had a Crown Charter thereof dated 16th January 1638, and was afterwards styled of Newmains. Died 30th January 1673.

John Haliburtoun, Eldest Son, succeeded his father in Newmains and Lands in Dryburgh in 1673. Died 3d March 1688. Buried at Dryburgh.

Thomas Haliburtoun, Eldest Son, Born 17th May 1670, and succeeded his father in 1688. In 1700 he acquired that part of the erected Lordship of Cardross which included the lands and Abbey of Dryburgh, and obtained a Crown Charter thereof on 12th February 1733. Died 25th June 1753. Buried at Dryburgh.

John Haliburtoun, Eldest Son, Born 22d March 1707. Succeeded his father in Newmains and Dryburgh in 1753. Died 26th April 1754, unmarried.

Robert Haliburtoun, Second Son, Born 5th September 1718. Succeeded to Newmains and Dryburgh on the death of his brother in 1754. In 1767, he sold Dryburgh and other lands to Colonel Tod whose Trustees, in 1786, conveyed the same to David Stuart late Earl of Buchan.

Barbara Haliburtoun, Third Daughter, Born 4th March 1706. Married in 1728 to Robert Scott of Sandyknowe, a Grandson of the first Laird of Raeburn. Their eldest son was,

Walter Scott, Born at Sandyknowe, 11th May 1729. Became a Writer to the Signet. Died in April 1799.

Sir Walter Scott, Baronet, First of Abbotsford, Born 15th August 1771. Died 21st, and buried at Dryburgh Abbey 26th September 1832.

Jane Jobson, only child, and heiress of Wm. Jobson of Lochore, in the county of Fife, who survives her husband. = Sir Walter Scott, of Abbotsford, Bart. Lieutenant-Col. of the 15th Regiment of Light Dragoons. Died at Sea, off the Cape of Good Hope, on the 8th February, and was buried beside his father at Dryburgh Abbey on the 4th May 1847. S.P.

Charles Scott, Died at Tehraun in Persia, 28th Oct. 1839. S.P.

Sophia Scott, Married 29th April, 1820, to John Gibson Lockhart, Esq. She Died 17th May 1837.

Anne Scott, Died 25th June 1833, unmarried.

John Hugh Lockhart, Died 15th December 1831.

Walter Scott Lockhart = Scott, Born 16th April 1826, Lieut. in the 16th Regiment of Lancers, succeeded his uncle and added the Name and Arms of Scott, as Heir of Entail of Abbotsford, 1847.

Charlotte Lockhart, married to J. R. Hope, Esq., 19th August 1847.

HISTORY OF DRYBURGH, *continued.*

The late Earl of Buchan acquires Dryburgh.

The estate of Dryburgh was again sold, in 1786, by Colonel Tod's trustees, to David, late Earl of Buchan, who thus re-acquired the part of the property which had belonged to his ancestors, the Earl of Mar and the Lords Cardross. In 1810, his Lordship executed an entail, in virtue of which, on his death in 1829, his son, the late Sir David Erskine, succeeded to Dryburgh, and on whose death, without issue, in 1837, the present Earl of Buchan, the nephew of Earl David, became the proprietor.[1]

Having thus traced the History of this once famous Religious House through its various vicissitudes, from its Foundation to the present time, we shall close these Prefatory Remarks with a parting glance at the situation and ruins of the Abbey.

Situation of the Abbey, its ruins, appearance, &c.

Dryburgh is situated in the parish of Mertoun, on the south-western confines of the county of Berwick. It stands three miles below Melrose, and ten miles above Kelso, on a flat sequestered lawn, on the north side of the Tweed, nearly surrounded by one of its finest turns, with high woody banks on every side, and in sight of the celebrated and picturesque Eildon Hills, the Trimontium of the Romans. Such a situation seems to have been peculiarly suited for retirement from the world and the enjoyment of the recluse monastic life.

The abbey and its church have been so often ruined and repaired, altered and added to, that it becomes difficult to trace the plan of the building, or to ascertain the age of its different parts. There is nothing, however, in Dryburgh which the student of early architecture can place before the twelfth century, and but little of that period is preserved. The now roofless ruins, covered here and there with ivy, and intermingled with lofty trees, contrasting with the beauty of the surrounding scenery, render the whole remarkably imposing and picturesque.

[1] Title-deeds of Dryburgh in the possession of the Earl of Buchan.

Dryburgh, since it became the grave of Scott, has been invested with an additional interest. It was preferred by him, that his own remains might mingle with those of his maternal ancestors, the Haliburtons. But it was, in any view, a fitting place of sepulture for the Great Minstrel of the Scottish Border. There, amidst the dust of the powerful De Morvilles, and many a holy Abbot and Monk of old, and surrounded by the ashes of his own "rough clan," under walls scorched in many a Border foray, in the heart of the valley he loved so well, and of the scenes he sung, lie the mortal remains of that mighty Master who has thrown a charm over the country, its history, and its traditions, that will live as long as themselves.

EDINBURGH, *October* 1847.

PLATE I.

1



2



3



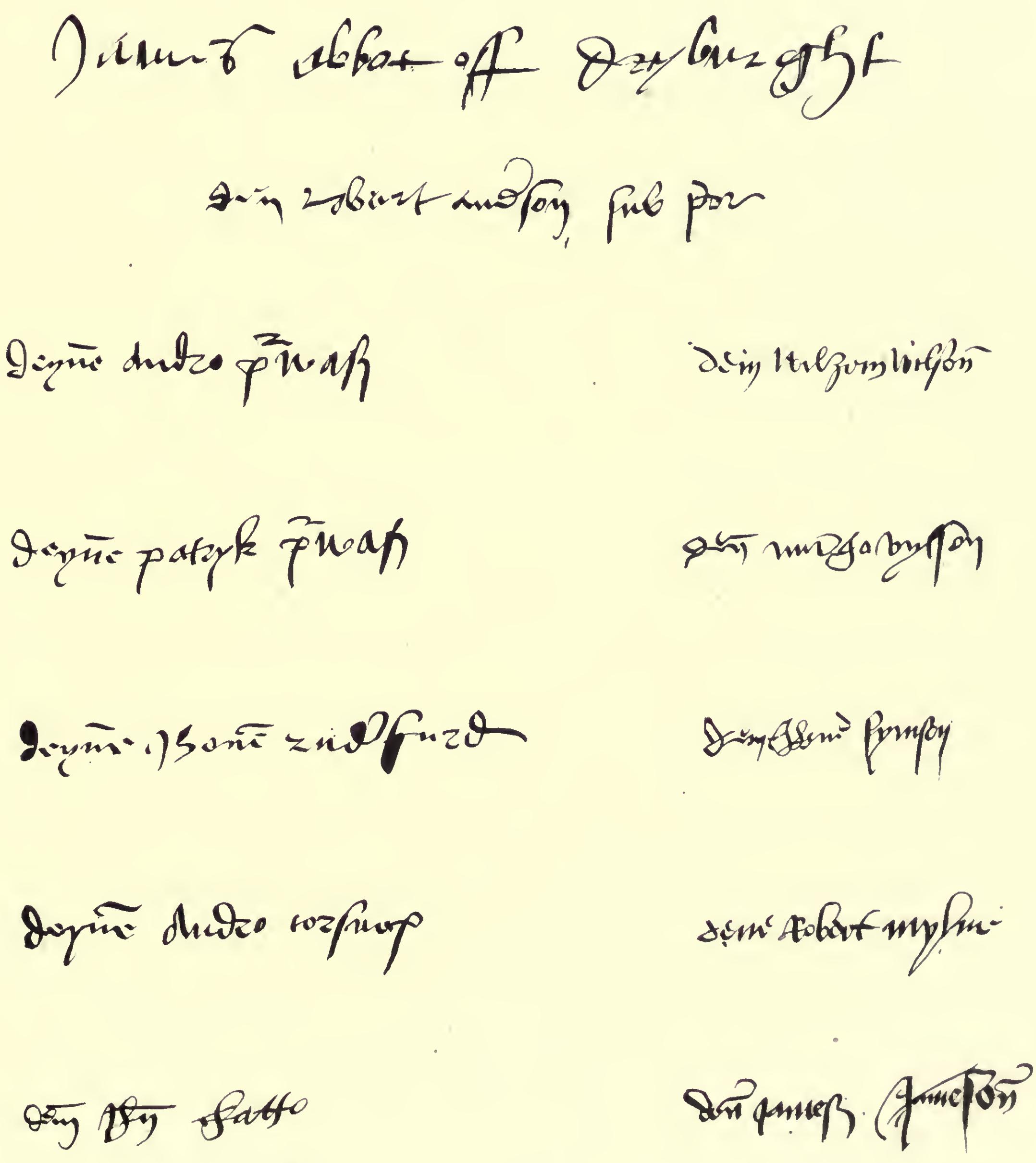
4



W. H. Lizars sc.

PLATE III.

Signatures of James Stewart, Abbot, and the Convent of Dryburgh.
1538 & 1554.



Lizars Edin^r

PLATE III.

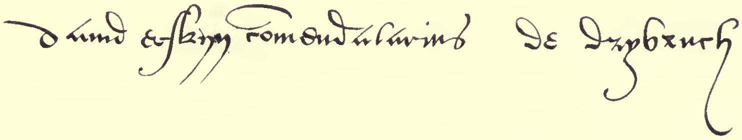
Signatures of the Four last Commendators of Dryburgh
of the Erskine Family, 1546 _ 1628.



(1546.)



(1554.)



(1559.)



(1628.)

Lizars Edin^r